

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA	:	
	:	
vs.	:	CRIMINAL ACTION NO.
	:	09-00184-KD
MICHAEL RASHAUN HARRIS	:	10-00058-KD
	:	

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on December 6, 2010 before the undersigned Magistrate Judge. Participating in the conference were William McGough, counsel for Defendant, and Assistant U.S. Attorney Gloria Bedwell, counsel for the Government.

As a result of the conference, the following schedule is set:

Plea. This action is set for a guilty plea hearing on **December 14, 2010, at 10:30 a.m.**, in Courtroom 5A before District Judge Kristi DuBose. The Defendant will plead to counts in the indictment. The parties are **ORDERED** to file a written Rule 11 Plea Agreement not later than **one (1) full day prior to the guilty plea hearing**. **Delays in filing the plea agreement or tardy appearances for the guilty plea hearing will result in counsel being required to show cause why they should not be held in contempt.**

The United States Marshal is **DIRECTED** to produce Defendant for the above-referenced hearing.

If Defendant does not plead as set out above, the following schedule shall control the trial of this case:

Trial. This action is set for trial during the **January 2011** trial term. Jury selection is tentatively scheduled for **8:45 a.m. on January 3, 2011**; however, the final jury selection and trial schedule will be published by the presiding District Judge on **December 30, 2010**. The parties estimate that the trial of this action will take **4** days for the Government, and **2** days for Defendant, for a total of **6** days¹.

The parties were informed that juror questionnaires will be available for their review in the Clerk's office on **December 30, 2010**. Additional questionnaires may be available on the following Monday morning before jury selection. Counsel's failure to review these questionnaires will be deemed a waiver of the opportunity to ask the same questions during voir dire.

Any proposed voir dire questions are to be filed not later than **December 30, 2010**.

Counsel for the Defendant and for the Government have consented to jury selection by a Magistrate Judge. Counsel shall file an executed Consent to Proceed Before a United States Magistrate Judge for Selection of the Jury in a Felony Case form no later than **December 30, 2010**.

Special requests or trial problems:

Counsel for Defendant Terrance Sims requests that the trial

¹ In addition to Defendant Harris, Defendants Terrance Sims and Heather McNair are also scheduled to be tried in this consolidated action.

of this action be scheduled for the last week in January 2011 because he is recuperating from organ donor surgery.

Pretrial motions/discovery problems:

None.

Dispositive motions:

None.

Stipulations:

Counsel for the Government is directed to tender to counsel for Defendants a list of proposed stipulations, including stipulations regarding toxicology reports and toll records, by **December 10, 2010**. Counsel for Defendants shall submit a written response no later than **December 17, 2010**.

Other Problems/Issues:

None.

DONE this **6th** day of **December, 2010**.

/s/ SONJA F. BIVINS
UNITED STATES MAGISTRATE JUDGE